

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
2009 JUL 30 AM 10:53

UNITED STATES OF AMERICA)

v.)

THOMAS F. JENKINS, a/k/a Tom)
Tom,)

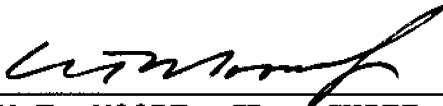
Defendant.)
_____)

CASE NO. CR596-005

O R D E R

Before the Court is the Report and Recommendation of the Magistrate Judge, to which no objections have been filed. (Doc. 565.) The Magistrate Judge recommended extending the time for filing a Notice of Appeal under Federal Rule of Appellate Procedure 4(b)(4) because Defendant filed his Notice of Appeal within 10 days of receiving this Court's January 8, 2009 Order. After a careful review of the record, the Court concurs with the Magistrate Judge and **ADOPTS** the Report and Recommendation as the Opinion of the Court.¹ Accordingly, Defendant's January 27, 2009 Notice of Appeal is timely with respect to this Court's January 8, 2009 Order.

SO ORDERED this 30th day of July, 2009.



WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ As a result, Defendant's Motion for Default Judgment (Doc. 567) is **DISMISSED AS MOOT**.